

Minutes of a Special Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, April 10, 1979 at 7:30 P.M.

Present: Allen M. Smith, Supervisor
George G. Young, Councilman
Francis E. Menendez, Councilman
John Lombardi, Councilman
Antone J. Regula, Councilman

Also present: Henry S. Saxtein, Town Attorney

Supervisor Smith called the Meeting to order at 7:30 P.M., and the Pledge of Allegiance was recited.

Supervisor Smith: "Gentlemen we are admonished by Mrs. Pendzick that the new tape recorder is so much more sensitive than the old one, that if we do like I do, and hold the microphone up to my mouth the thing goes bonkers. So let's not hold them up close."

OPEN BID REPORT - LIQUID ASPHALT - HIGHWAY DEPARTMENT

After being duly advertised the bids for Liquid Asphalt for the Riverhead Highway Department were opened by the Town Clerk on Monday, April 9, 1979 at 11:30 A.M. as follows:

R.O. Welch Asphalt Company
1064 Woodcrest Avenue
Riverhead, New York 11901

LOCATION OF PLANT: 1064 Woodcrest Ave., Riverhead, NY, S Also
Middle Road (west of Northville Tpke) Riverhead

DISTANCE OF PLANT: S 1½ MILES FROM RIVERHEAD HIGHWAY DEPARTMENT YD

ITEM #1: Liquid asphalt cutback supplied in quantities at various locations within the Township as directed by the Superintendent of Highways.

ITEM #2: Liquid asphalt cutback supplied and applied with bidder's distributor at various locations within the Township as directed by the Superintendent of Highways.

MC-30	<u>.72</u>	PER/GAL.	MC-30	<u>.78</u>	PER/GAL.
MC-70	<u>.72</u>	PER/GAL.	MC-70	<u>.78</u>	PER/GAL.

OPEN BID REPORT - LIQUID ASPHALT - HIGHWAY DEPARTMENT

MC-250	<u>.72</u>	PER/GAL.	MC-250	<u>.78</u>	PER/GA
MC-800	<u>.72</u>	PER/GAL.	MC-800	<u>.78</u>	PER/GA
RC-70	<u>.72</u>	PER/GAL.	RC-70	<u>.78</u>	PER/GA
RC-250	<u>.72</u>	PER/GAL.	RC-250	<u>.78</u>	PER/GA
RC-800	<u>.72</u>	PER/GAL.	RC-800	<u>.78</u>	PER/GA

ITEM #3: Liquid asphalt cutback
picked up at plant of successful
bidder as required by the Super-
intendent of Highways.

MC-30	<u>.6960</u>	PER/GAL.
MC-70	<u>.6960</u>	PER/GAL.
MC-250	<u>.6960</u>	PER/GAL.
MC-800	<u>.6960</u>	PER/GAL.
RC-70	<u>.6960</u>	PER/GAL.
RC-250	<u>.6960</u>	PER/GAL.
RC-800	<u>.6960</u>	PER/GAL.

FILED.

R. LANSDELL BITUMINOUS CORP.,
Box 238
Old Northport Road
Smithtown, New York 11787

LOCATION OF PLANT: Old Northport Road, Kings Park, New York

DISTANCE OF PLANT 41 MILES FROM RIVERHEAD HIGHWAY DEPT. YARD.

ITEM #1: Liquid asphalt cutback
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locations within the Township as
directed by the Superintendent of
Highways.

ITEM #2: Liquid asphalt cutback
supplied and applied with bidder's
distributor at various locations
within the Township as directed
by the Superintendent of Highways.

MC-30	<u>0.7345</u>	PER/GAL.	MC-30	<u>0.7995</u>	PER/GAL.
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OPEN BID REPORT - LIQUID ASPHALT - HIGHWAY DEPT. - continued

MC-70	<u>0.7345</u>	<u>PER/GAL.</u>	MC-70	<u>0.7995</u>	<u>PER/GAL.</u>
MC-250	<u>0.7345</u>	<u>PER/GAL.</u>	MC-250	<u>0.7995</u>	<u>PER/GAL.</u>
MC-800	<u>0.7445</u>	<u>PER/GAL.</u>	MC-800	<u>0.8095</u>	<u>PER/GAL.</u>
RC-70	<u>0.7345</u>	<u>PER/GAL.</u>	RC-70	<u>0.7995</u>	<u>PER/GAL.</u>
RC-250	<u>0.7345</u>	<u>PER/GAL.</u>	RC-250	<u>0.7995</u>	<u>PER/GAL.</u>
RC-800	<u>0.7445</u>	<u>PER/GAL.</u>	RC-800	<u>0.8095</u>	<u>PER/GAL.</u>

ITEM 3: Liquid asphalt cutback
picked up at plant of successful
bidder as required by the Super-
intendent of Highways.

MC-30	<u>0.6995</u>	<u>PER/GAL.</u>
MC-70	<u>0.6995</u>	<u>PER/GAL.</u>
MC-250	<u>0.6995</u>	<u>PER/GAL.</u>
MC-800	<u>0.7095</u>	<u>PER/GAL.</u>
RC-70	<u>0.6995</u>	<u>PER/GAL.</u>
RC-250	<u>0.6995</u>	<u>PER/GAL.</u>
RC-800	<u>0.7095</u>	<u>PER/GAL.</u>

FILED.

ASCON DISTRIBUTING CORP.
S 4th Street & Corbus Avenue
Brentwood, New York

LOCATION OF PLANT: Brentwood, New York

DISTANCE OF PLANT 38 MILES FROM RIVERHEAD HIGHWAY DEPT. YARD

ITEM #1: Liquid asphalt cutback
supplied in quantities at various
locations within the Township as
directed by the Superintendent of
Highways.

ITEM #2: Liquid asphalt cutback
supplied and applied with bidder's
distributor at various locations
within the Township as directed
by the Superintendent of Highways.

MR-30	<u>.75</u>	<u>PER/GAL.</u>	MC-30	<u>.82</u>	<u>PER/GAL.</u>
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OPEN BID REPORT - LIQUID ASPHALT - HIGHWAY DEPT. - cont'd

MC-70	<u>.75</u>	<u>PER/GAL.</u>	MC-70	<u>.82</u>	<u>PER/GAL.</u>
MC-250	<u>.75</u>	<u>PER/GAL.</u>	MC-250	<u>.82</u>	<u>PER/GAL.</u>
MC-800	<u>.75</u>	<u>PER/GAL.</u>	MC-800	<u>.82</u>	<u>PER/GAL.</u>
RC-70	<u>.75</u>	<u>PER/GAL.</u>	RC-70	<u>.82</u>	<u>PER/GAL.</u>
RC-250	<u>.75</u>	<u>PER/GAL.</u>	RC-250	<u>.82</u>	<u>PER/GAL.</u>
RC-800	<u>.75</u>	<u>PER/GAL.</u>	RC-800	<u>.82</u>	<u>PER/GAL.</u>

ITEM #3: Liquid asphalt cutback
picked up at plant of successful
bidder as required by the Super-
intendent of Highways.

MC-30	<u>.71</u>	<u>PER/GAL.</u>
MC-70	<u>.71</u>	<u>PER/GAL.</u>
MC-250	<u>.71</u>	<u>PER/GAL.</u>
MC-800	<u>.71</u>	<u>PER/GAL.</u>
RC-70	<u>.71</u>	<u>PER/GAL.</u>
RC-250	<u>.71</u>	<u>PER/GAL.</u>
RC-800	<u>.71</u>	<u>PER/GAL.</u>

FILED.

COMMUNICATIONS

Peter S. Danowski, 4/6/79 - copies of communications
from Levy, Gutman, Goldberg & Kaplan, re: Unification Church. Filed

Boy Scout Troop #145, 4/4/79 - copy of letter to Chief
Palmer commending him and the Police Department for excellent
job being done. Filed.

Mr. & Mrs. William Kelly - requesting that "gradually
worsening" problem of flooding on Harrison Avenue be included

COMMUNICATIONS - continued
in correction of drainage problems. Filed.

Suffolk County Department of Planning, 4/3/79 - if no objections received by 4/23/79 re: Brookhaven Zoning Ordinance amendment, Sec. 85-63 J, K, & M; will be assumed that there are none. Filed.

Department of Army, 3/30/79 - re; application of Northville Industries for a buoy in L.I. Sound; requesting Town Board review & Comment within 20 days. Filed.

Supervisor Smith: "We've asked Mr. Cohen of pro-putt to be here tonight and he's out in the hall discussing his particular problems with a couple of the neighbors. So we'll reserve anybody's right either of them to come back in and discuss pro-putt and we'll hold that resolution until such time as they finish their discussions and hopefully amicably resolve whatever differences exist. Is there anyone here on the portion of the agenda that would deal with anybody wishing to be heard to address the Town Board on any issue who would take advantage of the opportunity to speak?"

No one wished to be heard at this time.

Supervisor Smith: "On a couple of matters on unfinished business, we have the site plan application of Mr. Raymond McKay, that was held over last meeting and is one of the purposes of this special meeting. The paper work is yet to be done on that particular application and will have to be held.

We have also previously had the opening of bids for sanitary landfill machinery. What must happen now is that I do my work with reference to bonding, which hopefully I can do next Monday on those items. So this brings us to resolutions."

RESOLUTIONS

Supervisor Smith: "I note that we have resolutions #166, #167, #168, #169, #170, #171 all dealing with police overtime. Anybody interested in hearing those read? There being no one wishing to hear each of those resolutions read at this time."

RESOLUTIONS - continued#166 AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Police Officers be paid overtime from March 1, 1979 to and including March 31, 1979, as per P.B.A. Contract at time and one-half their regular salary.

1.	A. Densieski	3-02-79	.5 hrs.	\$ 6.73	
		3-20-79	1.5 hrs.	<u>\$20.18</u>	\$ 26.91
2.	J. Dunleavy	3-23-79	.83 hrs.		\$ 11.60
3.	D. Green	3-06-79	1. hr.		\$ 13.45
4.	L. Griffing	3-18-79	.75 hrs.		\$ 10.49
5.	J. Hughes	3-02-79	1.08 hrs.	\$14.53	
		3-05-79	.5 hrs.	<u>\$ 6.73</u>	\$ 21.26
6.	B. Keller	3-02-79	.5 hrs.		\$ 6.73
7.	L. Mickoliger	3-27-79	1.75 hrs.		<u>\$ 23.54</u>
TOTAL					\$113.98

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#167 AUTHORIZES RECALL/COURT PAY FOR POLICE OFFICERS TO BE PAID FROM FEDERAL REVENUE SHARING

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Police Officers be paid recall/court pay from March 1, 1979 to and including March 31, 1979, to be paid from Federal Revenue Sharing.

1.	Cheshire, D.	3-12-79	4 hrs.	\$ 47.12
2.	Pleickhardt, J.	3-12-79	4 hrs.	\$ 53.80
3.	VonVoigt, R.	3-12-79	4 hrs.	<u>\$ 53.80</u>
TOTAL				\$154.72

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was there upon declared duly adopted.

RESOLUTIONS - continued

#168

AUTHORIZES RECALL/COURT PAY FOR POLICE OFFICERS

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Police Officers be paid recall/court pay from March 1, 1979 to and including March 31, 1979, as per P.B.A. Contract.

1. Foote, F.	3-26-79	4 hrs.	\$ 53.80
2. Gianni, V.	3-26-79	4 hrs.	<u>\$ 53.80</u>
TOTAL			\$107.60

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#169

AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS TO BE PAID FROM FEDERAL REVENUE SHARING

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Police Officers be paid overtime pay from March 1, 1979 to and including March 31, 1979, to be paid from Federal Revenue Sharing.

1. Cheshire, D.	3-02-79	.5 hrs.	\$ 5.89
2. Pleickhardt, J.	3-18-79	.5 hrs.	\$ 6.73
3. VonVoigt, R.	3-13-79	1. hr.	\$13.45
	3-20-79	2. hrs.	<u>\$36.90</u>
TOTAL			\$52.97

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#170

AUTHORIZES RECALL PAY FOR DETECEIVES

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Detectives be paid recall pay from March 1, 1979 to and including March 31, 1979, as per P.B.A. Contract.

1. Boden, H.	3-18-79	4 hrs.	\$ 59.16
2. Palmer, W.	3-03-79	4 hrs.	\$ 59.80

RESOLUTIONS - continued

3.	Summerville, A.	3-23-79	4 hrs.	\$ 59.80
4.	Underwood, R.	3-09-79	4 hrs.	<u>\$ 65.08</u>
			TOTAL	\$243.84

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#171 AUTHORIZES OVERTIME PAY FOR SERGEANT

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Sergeant be paid overtime pay for March 21, 1979 as per P.B.A. Contract.

1.	Mazzo, L.	3-21-79	8 hrs.	\$125.76
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The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#175 TRANSFER OF FUNDS

Councilman Lombardi offered the following resolution which was seconded by Councilman Regula.

RESOLVED, That the Supervisor be, and he hereby is, authorized to make the following transfers in the General Town Account:

	<u>FROM</u>	<u>TO</u>
A1990.400 Contingency Account	\$50,000.00	
A1355.430 Consultants Revaluation		\$50,000.00

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith: "Mr. Grasso, Mr. Telberg, the Assessors I think are trying to set up a press conference meeting briefing with you on revaluation, Finnegan, etc. Okay, as long as you know about it."

#176 RESOLUTIONS - continued
APPLICATION DENIED EAST MAIN STREET ASSOCIATION
FOR MODIFICATION OF PRIOR APPROVED SITE PLAN

Councilman Regula offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, East Main Street Associates have applied for a modification of a site plan approval previously granted by this Town Board, and

WHEREAS, The Town Board has considered said application and does not find any conditions warranting a modification of its prior resolution,

NOW, THEREFORE, be it

RESOLVED, That the application of East Main Street Associates for a modification of a site plan approval be denied.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith then stated: "I'd add on that one, that I've also written them a letter today that reminds him of his site plan approval limiting exists onto East Main Street and asking him to correct that situation."

#177 RESOLUTION AUTHORIZING RIVERHEAD VARSITY CLUB AND
RIVERHEAD HIGH SCHOOL STUDENT COUNCIL TO USE FACILITIES
AT STOTSKY PARK

Councilman Lombardi offered the following resolution which was seconded by Councilman Regula.

WHEREAS, The Riverhead Varsity Club and Riverhead High School Student Council has petitioned the Town Board for permission to use the facilities at Stotsky Park for a fund raising marathon softball game starting at 12:00 noon, July 9, 1979, and ending at 12:00 noon June 10, 1979, and

WHEREAS, The Town Board of the Town of Riverhead recognizes the contributions that both the Riverhead Varsity Club and Riverhead High School Student Council to use the facilities at Stotsky Park for a fund raising marathon softball game starting at 12:00 noon June 9, 1979 and ending at 12:00 noon June 10, 1979, and be it

FURTHER RESOLVED, That the Town Board grants permission to these groups to erect tents for shelter and for a refreshment stand during the marathon.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith recessed the meeting after which the meeting resumed.

RESOLUTIONS - continued

Supervisor Smith: "We proposed resolution #173. The sense of resolution #173 relates to the Jamesport Power House proceedings, both Article 7, 8 and the N.R.C. We are currently represented in those proceedings by Paul, Weiss, etc., from New York City. The young man who has worked on those proceedings for a number of years, has discussed the status of those various proceedings with us since the last Town Board Meeting on Tuesday. The sense of the resolution is that Mr. Sinnreich has offered to the Town Board to represent the Town in it's invididual capacity, rather than as an employee of Paul, Weiss, etc. The long and short of it is he has offered to resign as an attorney with Paul, Weiss, etc., to take on these particular matters. This can result in certain economies to the Town in part because of the high overhead factors that are charged by Paul, Weiss, etc. It could also avail us of the opportunity to get into some of the issues being raised in Article 8 a little more deeply than we have been in the past year. We have spent substantial sums in the proceedings to date. This affords us the opportunity as we continue in the proceedings to possibly get more information and guidance from a special council who would be available to us on a day to day basis. In that this is a special meeting, it is a collective judgment of the Town Board that we should deal with this resolution at a regular Town Board Meeting which will be next Tuesday and therefore we will hold resolution #173.

With reference to resolution #164 the record should note that Mr. Stanley Cohen is here, one of the applicants for the special permit for the pro-putt golf course. The record should further indicate that there have been substantial discussions of the modifications requested by Mr. Cohen and the proprietors of the pro-putt golf relative to the hours and lay-out of this particular site plan. Mr. Cohen has met this evening with Mr. Richard Benedict and others from the residential area known as Fanning Blvd., and hopefully we have resolved some, if not all the issues raised by the residents and by Mr. Cohen. Although Mr. Rohm is not available to us tonight, he has specifically offered to have you Mr. Benedict and or as many others of the citizens group from Fanning Blvd. visit the facility that he operates in Centereach and or I believe its Bayshore. But the Centereach facility will be opened with a next few days. I'm told and I would hope that you avail yourself at that opportunity and hopefully it will tell you a little bit about what the man proposes to do and how he runs his operation."

#164 AMENDS PRIOR PRO-PUTT PERMIT

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, This Town Board, at its meeting held on March 20, 1979, adopted a certain permit resolution, relative to a pro-putt golf course, and

RESOLUTIONS - continued

WHEREAS, The owner and prospective operators of the proposed pro-putt golf course have asked to amend those provisions of the special permit resolution relating to hours of operation and planting, and

WHEREAS, This Town Board has considered the request above stated, and finds merit in the amendment of hours of operation by reason of the limited season in which those facilities will be used and its potential economic liability, and that the planting requirements along commercially zoned property of Stakey can be waived, subject to being reinstated, NOW, THEREFORE, be it

RESOLVED, That this Board does hereby ratify and confirm its prior resolution with reference to the pro-putt golf course, except as is herein specifically amended, and be it

FURTHER RESOLVED, That the prior resolution of the Town Board is hereby amended such that the proposed facility may not sell tickets after midnight on Sunday through Thursday nights, and may not sell tickets after 1:00 A.M. on Friday, Saturday, and national holidays, and be it

FURTHER RESOLVED, That the requirements of plantings along the land of Stakey is hereby waived, subject to being reinstated by subsequent resolution of this Town Board, and be it

FURTHER RESOLVED, That the northwest parking area be closed at 11:00 P.M., and remain unused thereafter for each day of operation.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted

Supervisor Smith: "Any other matter to come before the Town Board? Anybody in that we're done a little early that wishes to speak?"

Dick Benedict, Fanning Blvd., Riverhead; "In regards to the pro-putt golf course, there's one point I'd like to clarify. And the one stipulation was that they hold property for three years for drainage problems which is our major concern. Now could you put in the record when that three years beings?"

Supervisor Smith: "Now."

PERSONAL APPEARANCES - continued

Dick Benedict: "Why not when they start operations in the spring of the 1980?"

Supervisor Smith: "Dick if I don't get it done in three years from today, it's never going to get done."

Dick Benedict: "Then what's the objection of getting it done from spring of 1980?"

Supervisor Smith: "Stanley, now long is it going to take these guys to get going?"

Dick Benedict: "I talked to them today and they'd have the building up this year, but it will not be in operation til spring of 1980."

Supervisor Smith: "Dick it's just like anything else. The thing will take, if it's going to happen, the drainage situation will take to be solved probably six months of work, real work. And if you put it off whether it's four years of five years, the only time that the work will get done will be in the last half of the year immediately proceeding the deadline. So the three years . . ."

Dick Benedict: "So it will give us one extra winter."

Supervisor Smith: "I don't want to put off your problems until then. Just stay on me and it will get done, just like all the other things get done."

Dick Benedict: "That's what I'm trying to do, but three years from tonight is not the same as three years from next spring."

Supervisor Smith: "George makes the comment two years. You'd want two years because you'd want it quicker."

Dick Benedict: "As long as they leave that hole. It's not going to help unless that problem is solved no matter if that hole is kept for twenty years. It's a very small thing. It's half an acre. So give us the one extra winter."

PERSONAL APPEARANCES - continued

Supervisor Smith: "Dick I think Mr. Cohen will cooperate with us whether it's three years or four years. He's demonstrated that to this point. It may be that we can resolve the thing this year in terms of design and what not."

Dick Benedict: "That would be fine."

Supervisor Smith: "We have the bond issue. The time period has passed. The money is available to do some things like this. Now's the time to do it, not whether it's two and one-half years or three years from now."

Dick Benedict: "So it's three years from today."

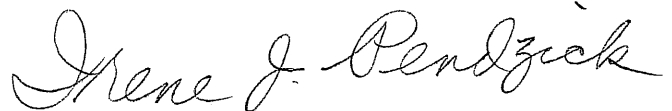
Supervisor Smith: "Yes Sir, that's how I read it."

Dick Benedict: "Thank you."

Supervisor Smith: "Anybody else? If not good night."

No one else wished to be heard at this time.

There being no further business on motion and vote,
the meeting adjourned at 8:15 P.M.



Irene J. Pendzick, Town Clerk

IJP/vlv